

**U.S. District Court  
Southern District of Indiana (Indianapolis)  
CIVIL DOCKET FOR CASE #: 1:21-cv-02262-SEB-DLP**

MORRIS et al v. AMAZON.COM SERVICES, LLC  
Assigned to: Judge Sarah Evans Barker  
Referred to: Magistrate Judge Doris L. Pryor  
Cause: 15:1693ef Electronic Funds Transfer Act

Date Filed: 08/17/2021  
Date Terminated: 01/07/2022  
Jury Demand: Plaintiff  
Nature of Suit: 480 Consumer Credit  
Jurisdiction: Federal Question

Discovery Deadline:  
Dispositive Motion Deadline:

Settlement Conference:  
Final Pretrial Conference:  
Trial Date:

**Plaintiff**

**WHITNEY MORRIS**

represented by **David M. Marco**  
SMITHMARCO, P.C.  
55 W. Monroe Street  
Suite 1200  
Chicago, IL 60603  
312-546-6539  
Fax: 888-418-1277  
Email: dmarco@smithmarco.com  
*ATTORNEY TO BE NOTICED*

**Larry Paul Smith**  
SMITHMARCO, P.C.  
55 W. Monroe Street  
Suite 1200  
Chicago, IL 60603  
(312) 324-3532  
Fax: (888) 418-1277  
Email: lsmith@smithmarco.com  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**BRADLY MORRIS**

represented by **David M. Marco**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Larry Paul Smith**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**AMAZON.COM SERVICES, LLC.**

represented by **John A. Goldmark**  
DAVIS WRIGHT TREMAINE LLP  
920 Fifth Avenue

Suite 3300  
 Seattle, WA 98104  
 (206) 757-8068  
 Fax: (202) 757-7068  
 Email: johngoldmark@dwt.com  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Philip R. Zimmerly**  
 BOSE MCKINNEY & EVANS, LLP  
 (Indianapolis)  
 111 Monument Circle  
 Suite 2700  
 Indianapolis, IN 46204  
 317-684-5000  
 Fax: 317-684-5173  
 Email: pzimmerly@boselaw.com  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Robert Edward Miller**  
 DAVIS WRIGHT TREMAINE LLP  
 920 Fifth Avenue, Suite 3300  
 Seattle, WA 98104  
 206-757-8508  
 Fax: 206-757-7508  
 Email: robertmiller@dwt.com  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Samuel R. Alvarez**  
 DAVIS WRIGHT TREMAINE LLP  
 920 Fifth Avenue, Suite 3300  
 Seattle, WA 98104  
 206-757-8508  
 Fax: 206-757-7508  
 Email: samalvarez@dwt.com  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
08/17/2021	<u>1</u>	COMPLAINT <i>with Jury Demand</i> against AMAZON.COM SERVICES, LLC., filed by WHITNEY MORRIS, BRADLY MORRIS. (Filing fee \$402, receipt number 0756-6705065) (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons)(Marco, David) (Entered: 08/17/2021)
08/17/2021	<u>2</u>	NOTICE of Appearance by David M. Marco on behalf of Plaintiffs BRADLY MORRIS, WHITNEY MORRIS. (Marco, David) (Entered: 08/17/2021)
08/17/2021	<u>3</u>	NOTICE of Appearance by Larry Paul Smith on behalf of Plaintiffs BRADLY MORRIS, WHITNEY MORRIS. (Smith, Larry) (Entered: 08/17/2021)
08/18/2021	<u>4</u>	Summons Issued as to AMAZON.COM SERVICES, LLC. (REO) (Entered: 08/18/2021)
08/18/2021	<u>5</u>	

		MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (REO) (Entered: 08/18/2021)
09/01/2021	<u>6</u>	NOTICE of Appearance by Philip R. Zimmerly on behalf of Defendant AMAZON.COM SERVICES, LLC.. (Zimmerly, Philip) (Entered: 09/01/2021)
09/01/2021	<u>7</u>	Corporate Disclosure Statement by AMAZON.COM SERVICES, LLC. identifying Corporate Parent AMAZON.COM, INC. for AMAZON.COM SERVICES, LLC... (Zimmerly, Philip) (Entered: 09/01/2021)
09/01/2021	<u>8</u>	NOTICE of Parties' First Extension of Time re Filing a response to pleading defined by Fed. R. Civ. P. 7(a), filed by Defendant AMAZON.COM SERVICES, LLC.. (Zimmerly, Philip) (Entered: 09/01/2021)
09/08/2021	<u>9</u>	SCHEDULING ORDER: Initial Pretrial Conference set for 11/17/2021 11:00 AM (Eastern Time) in Telephonic before Magistrate Judge Doris L. Pryor. The information needed to participate in this telephonic conference will be provided by a separate notification. No fewer than seven (7) days before the IPTC, counsel must file a Proposed CMP. See Order for additional information. Signed by Magistrate Judge Doris L. Pryor on 9/8/2021.(SWM) (Entered: 09/08/2021)
09/10/2021	<u>10</u>	MOTION for Attorney(s) Robert E. Miller to Appear pro hac vice (Filing fee \$100, receipt number 0756-6740385), filed by Defendant AMAZON.COM SERVICES, LLC.. (Attachments: # <u>1</u> Exhibit A – Robert Miller Certification, # <u>2</u> Text of Proposed Order)(Zimmerly, Philip) (Entered: 09/10/2021)
09/10/2021	<u>11</u>	MOTION for Attorney(s) John A. Goldmark to Appear pro hac vice (Filing fee \$100, receipt number 0756-6740403), filed by Defendant AMAZON.COM SERVICES, LLC.. (Attachments: # <u>1</u> Exhibit A – John Goldmark Certification, # <u>2</u> Text of Proposed Order)(Zimmerly, Philip) (Entered: 09/10/2021)
09/10/2021	<u>12</u>	MOTION for Attorney(s) Samuel R. Alvarez to Appear pro hac vice (Filing fee \$100, receipt number 0756-6740431), filed by Defendant AMAZON.COM SERVICES, LLC.. (Attachments: # <u>1</u> Exhibit A – Samuel Alvarez Certification, # <u>2</u> Text of Proposed Order)(Zimmerly, Philip) (Entered: 09/10/2021)
09/15/2021	<u>13</u>	Submission of Signature Requirement re <u>12</u> MOTION for Attorney(s) Samuel R. Alvarez to Appear pro hac vice (Filing fee \$100, receipt number 0756-6740431) by AMAZON.COM SERVICES, LLC.. (Zimmerly, Philip) (Entered: 09/15/2021)
09/15/2021	<u>14</u>	Submission of Signature Requirement re <u>11</u> MOTION for Attorney(s) John A. Goldmark to Appear pro hac vice (Filing fee \$100, receipt number 0756-6740403) by AMAZON.COM SERVICES, LLC.. (Zimmerly, Philip) (Entered: 09/15/2021)
09/15/2021	<u>15</u>	Submission of Signature Requirement re <u>10</u> MOTION for Attorney(s) Robert E. Miller to Appear pro hac vice (Filing fee \$100, receipt number 0756-6740385) by AMAZON.COM SERVICES, LLC.. (Zimmerly, Philip) (Entered: 09/15/2021)
09/16/2021	<u>16</u>	ORDER granting <u>10</u> Motion to Appear pro hac vice. Attorney Robert E. Miller for AMAZON.COM SERVICES, LLC. added. Signed by Magistrate Judge Doris L. Pryor on 9/16/2021 Copy sent to Mr. Miller via US Mail (CBU) (Entered: 09/17/2021)
09/16/2021	<u>17</u>	ORDER granting <u>11</u> Motion to Appear pro hac vice. Attorney John A. Goldmark for AMAZON.COM SERVICES, LLC. added. Signed by Magistrate Judge Doris L. Pryor on 9/16/2021 Copy sent to Mr. Goldmark via US Mail (CBU) (Entered: 09/17/2021)
09/16/2021	<u>18</u>	ORDER granting <u>12</u> Motion to Appear pro hac vice. Attorney Samuel R. Alvarez for AMAZON.COM SERVICES, LLC. added. Signed by Magistrate Judge Doris L. Pryor on 9/16/2021 Copy sent to Attorney Alvarez via US Mail (CBU) (Entered: 09/17/2021)

09/22/2021	<u>19</u>	NOTICE of Change of Attorney Information. Consistent with Local Rule 5–3, John Goldmark hereby notifies the Clerk of the court of changed contact information. (Goldmark, John) (Entered: 09/22/2021)
10/07/2021	<u>20</u>	MOTION for Extension of Time to October 15, 2021 <i>to Respond to Plaintiff's Complaint</i> , filed by Defendant AMAZON.COM SERVICES, LLC.. (Attachments: # <u>1</u> Text of Proposed Order)(Miller, Robert) (Entered: 10/07/2021)
10/08/2021	<u>21</u>	ORDER granting Defendant's <u>20</u> Motion for Extension of Time to File response to complaint to 10/15/2021. Signed by Magistrate Judge Doris L. Pryor on 10/8/2021. (SWM) (Entered: 10/12/2021)
10/15/2021	<u>22</u>	MOTION to Dismiss <i>for Improper Venue or to Transfer Venue</i> , filed by Defendant AMAZON.COM SERVICES, LLC.. (Miller, Robert) (Entered: 10/15/2021)
10/15/2021	<u>23</u>	BRIEF/MEMORANDUM in Support re <u>22</u> MOTION to Dismiss <i>for Improper Venue or to Transfer Venue</i> , filed by Defendant AMAZON.COM SERVICES, LLC.. (Miller, Robert) (Entered: 10/15/2021)
10/15/2021	<u>24</u>	DECLARATION of Sarah Hebard re <u>22</u> Motion to Dismiss, <u>23</u> Brief/Memorandum in Support by AMAZON.COM SERVICES, LLC.. (Attachments: # <u>1</u> Exhibit Amazon's Conditions of Use)(Miller, Robert) (Entered: 10/15/2021)
10/22/2021	<u>25</u>	Unopposed MOTION for Extension of Time to November 19, 2021 <i>to Respond to Defendant's Motion to Dismiss for Improper Venue or to Transfer Venue</i> , filed by Plaintiffs BRADLY MORRIS, WHITNEY MORRIS. (Attachments: # <u>1</u> Text of Proposed Order)(Marco, David) (Entered: 10/22/2021)
10/25/2021	<u>26</u>	ORDER granting Plaintiff's <u>25</u> Motion for Extension of Time to File Response to Motion to Dismiss to 11/19/2021. Signed by Magistrate Judge Doris L. Pryor on 10/25/2021. (SWM) (Entered: 10/26/2021)
11/09/2021	<u>27</u>	Joint MOTION to CONTINUE Initial Pretrial Scheduling Conference and Related Deadlines , filed by Defendant AMAZON.COM SERVICES, LLC.. (Attachments: # <u>1</u> Text of Proposed Order)(Zimmerly, Philip) Modified on 11/10/2021 (CKM). Modified on 11/10/2021 (CKM). (Entered: 11/09/2021)
11/10/2021	<u>29</u>	CASE MANAGEMENT PLAN TENDERED, filed by Defendant AMAZON.COM SERVICES, LLC. <i>and Plaintiffs</i> . (Miller, Robert) (Entered: 11/10/2021)
11/12/2021	<u>30</u>	ORDER granting Parties' <u>27</u> Joint Motion for Continuance – Initial Pretrial Conference RESET for 1/19/2022 02:30 PM (Eastern Time) in Telephonic before Magistrate Judge Doris L. Pryor. Counsel shall attend the conference by calling the designated phone number, to be provided by the Court via email generated by the Court's ECF system. All other requirements of the Court's order dated September 8, 2021, Dkt. [ <u>9</u> ] shall remain in effect. Signed by Magistrate Judge Doris L. Pryor on 11/12/2021.(SWM) (Entered: 11/12/2021)
11/18/2021	<u>31</u>	Unopposed MOTION for an Extension of Time to file Response to Defendant's Motion to Dismiss for Improper Venue or to Transfer Venue, filed by Plaintiffs BRADLY MORRIS, WHITNEY MORRIS. (Attachments: # <u>1</u> Text of Proposed Order)(Marco, David) Modified on 11/19/2021 (CKM). (Entered: 11/18/2021)
11/22/2021	<u>32</u>	ORDER granting in part <u>31</u> Motion for Extension of Time to 12/20/2021 for the Plaintiff to respond to Defendant's motion to dismiss. Signed by Magistrate Judge Doris L. Pryor on 11/22/2021. (CBU) (Entered: 11/22/2021)
12/20/2021	<u>33</u>	NOTICE of <i>No Opposition</i> , filed by Plaintiffs BRADLY MORRIS, WHITNEY MORRIS, re <u>22</u> MOTION to Dismiss <i>for Improper Venue or to Transfer Venue</i> . (Marco, David) (Entered: 12/20/2021)

		12/20/2021)
12/28/2021	<u>34</u>	REPLY in Support of Motion re <u>22</u> MOTION to Dismiss <i>for Improper Venue or to Transfer Venue</i> , filed by Defendant AMAZON.COM SERVICES, LLC.. (Zimmerly, Philip) (Entered: 12/28/2021)
12/29/2021	<u>35</u>	Submission of Proposed Order , re <u>22</u> MOTION to Dismiss <i>for Improper Venue or to Transfer Venue</i> , filed by Defendant AMAZON.COM SERVICES, LLC.. (Zimmerly, Philip) (Entered: 12/29/2021)
01/07/2022	<u>36</u>	CLOSED TRANSFER – Defendant Amazon.com Services, LLC, having filed a Motion to Dismiss for Improper Venue or, in the alternative, to Transfer Venue Dkt. <u>22</u> , and the Court having reviewed said Motion and being apprised by Plaintiffs that they do not oppose Defendants' transfer request, finds that the Motion to Transfer should be GRANTED and the alternative Motion to Dismiss should be DENIED AS MOOT. IT IS THEREFORE ORDERED AND ADJUDGED AND DECREED that this cause shall be transferred to the Western District of Washington. Signed by Judge Sarah Evans Barker on 1/7/2022.(CKM) (Entered: 01/07/2022)
01/07/2022	<u>37</u>	Transfer Letter to Clerk of the Western District of Washington. Case transferred electronically to Western District of Washington, on 1/7/2022. (CKM) (Entered: 01/07/2022)

Case #: 1:21-cv-02262-SEB-DLP